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June 5, 2014

BY ECF AND BY HAND DELIVERY

The Honorable Richard M. Berman
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: *Siddiqui v. United States*
Dkt. No. 14-cv-03437 (RMB)

Dear Judge Berman:

This letter is respectfully submitted in response to the memorandum endorsement entered on June 4, 2014 in this matter directing me to supplement paragraph six of my May 27, 2014 declaration. Specifically this letter will further address, as required by Your Honor's May 20, 2014 order, my authority to file the May 14, 2014 motion to recuse.

On May 5, 2014, Dr. Siddiqui orally authorized Tina Foster, Esq. and myself to file a 28 U.S.C. §2255 motion on her behalf *See* Dkt. Entries 11 and 12. On May 29, 2014, my co-counsel Ms. Foster filed a Supplemental Declaration on this subject. Attached to her declaration was a handwritten letter from Dr. Siddiqui. That letter, dated May 21, 2014 "confirm[ed]" that she had "authorized attorneys [sic] Tina Foster and Robert Boyle to file a legal case on my behalf, specifically section 2255 motion to vacate and related filings." *See* Dkt. Entry # 13.

Decisions about what motions to file or not file are within the purview of counsel. *Jones v. Barnes*, 463 U.S. 745, 751 (1983). I relied on Dr. Siddiqui's authorization to file this action as specific authority for me to file whatever motions and pleadings ("related filings") that are, in my professional judgment, necessary in this action. It was on that authority that I filed the May 14, 2014 motion to recuse.

The information set forth above has been provided pursuant to this Court's order and for a limited purpose and should not be deemed a waiver of the attorney-client privilege.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert J. Boyle". The signature is fluid and cursive, with a long horizontal stroke at the end.

ROBERT J. BOYLE

cc: AUSA Jenna Dabbs (by email only)
Tina Foster, Esq. (by email only)
Aafia Siddiqui (by legal mail)